

116TH CONGRESS  
2D SESSION

# H. R. 3659

---

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2020

Received; read twice and referred to the Committee on Health, Education,  
Labor, and Pensions

---

## AN ACT

To establish an Anti-Bullying Roundtable to study bullying  
in elementary and secondary schools in the United  
States, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1     **SECTION 1. SHORT TITLE; FINDINGS.**

2         (a) SHORT TITLE.—This Act may be cited as  
3         “Danny’s Law”.

4         (b) FINDINGS.—The Congress finds the following:

5             (1) This Act is named in honor of Daniel  
6             Fitzpatrick, who, in August 2016, when he was 13  
7             years old, tragically took his own life as a direct re-  
8             sult of bullying.

9             (2) According to the Centers for Disease Con-  
10          trol and Prevention, bullying is among the most  
11          commonly reported discipline problems in public  
12          schools.

13          (3) Potential effects of bullying include social  
14          and emotional distress, physical injury, and in-  
15          creased risk for lowering academic achievement.

16     **SEC. 2. ANTI-BULLYING ROUNDTABLE.**

17         (a) ESTABLISHMENT.—There is established an inde-  
18          pendent commission to be known as the “Anti-Bullying  
19          Roundtable” (in this Act referred to as the “Round-  
20          table”).

21         (b) DUTIES.—The duties of the Roundtable shall be  
22          to study and report on bullying in elementary schools and  
23          secondary schools in the United States by consulting with  
24          State educational agencies and local educational agencies  
25          regarding—

26             (1) current policies on bullying;

- 1                             (2) teacher education on bullying and bullying  
2                             prevention policies;  
3                             (3) parent and student education on bullying  
4                             and bullying prevention policies;  
5                             (4) instances of student violence as a result of  
6                             bullying;  
7                             (5) instances of student self-harm as a result of  
8                             bullying;  
9                             (6) preventative measures in place at State and  
10                            local levels; and  
11                             (7) instances of cyberbullying and practices for  
12                            addressing cyberbullying.

13                             (c) MEMBERSHIP.—

14                             (1) IN GENERAL.—The Roundtable shall be  
15                            composed of 15 members, appointed as follows:

16                             (A) Three members shall be appointed by  
17                            the Secretary of Education, and those three  
18                            members shall represent three different cat-  
19                            egories of stakeholders described in paragraph  
20                            (2).

21                             (B) Six members shall be appointed by the  
22                            Speaker of the House of Representatives, three  
23                            of whom shall be appointed on the rec-  
24                            ommendation of the majority leader of the  
25                            House of Representatives, and three of whom

1 shall be appointed on the recommendation of  
2 the minority leader of the House of Representa-  
3 tives. The Speaker, the majority leader, and the  
4 minority leader of the House of Representatives  
5 shall each select individuals who represent at  
6 least three different categories of stakeholders  
7 described in paragraph (2).

8 (C) Six members shall be appointed by the  
9 President pro tempore of the Senate, three of  
10 whom shall be appointed on the recommenda-  
11 tion of the majority leader of the Senate, and  
12 three of whom shall be appointed on the rec-  
13 ommendation of the minority leader of the Sen-  
14 ate. The President pro tempore, the majority  
15 leader, and the minority leader of the Senate  
16 shall each select individuals who represent at  
17 least three different categories of stakeholders  
18 described in paragraph (2).

19 (D) In appointing members of the Round-  
20 table, the Secretary of Education, the Speaker  
21 of the House of Representatives, and the Presi-  
22 dent pro tempore of the Senate, to the extent  
23 practicable, shall take into account all the other  
24 nominees to the Roundtable to ensure as many

1           as possible of the categories of stakeholders de-  
2           scribed in paragraph (2) are represented.

3           (2) REPRESENTATION.—The members of the  
4           Roundtable shall include, to the extent practicable,  
5           at least one representative of each of the following:

6                 (A) Teachers.

7                 (B) School leaders.

8                 (C) Parents of schoolchildren.

9                 (D) Individuals who are at least 16 years  
10                 of age and who have experienced bullying.

11                 (E) Physicians.

12                 (F) Child psychologists.

13                 (G) Paraprofessionals.

14                 (H) School resource officers or other ap-  
15                 propriate professionals responsible for school se-  
16                 curity.

17                 (I) Specialized instructional support per-  
18                 sonnel.

19                 (J) Other staff.

20                 (K) Other individuals with expertise work-  
21                 ing with bullied youth.

22           (3) CHAIR.—The members of the Roundtable  
23           shall elect one individual to serve as chair.

24           (4) TERMS.—Each member shall be appointed  
25           for the duration of the existence of the Roundtable.

1                         (5) VACANCIES.—A vacancy in the Roundtable  
2 shall be filled in the manner in which the original  
3 appointment was made under paragraph (1) and in  
4 accordance with the requirements of paragraph (2).

5                         (6) PAY.—Members of the Roundtable shall  
6 serve without pay.

7                         (d) TIME FRAME FOR FORMATION.—Not later than  
8 180 days after the date of enactment of this Act, the des-  
9 ignated Members of Congress and the Secretary shall ap-  
10 point the members described in subsection (c)(1).

11                         (e) POWERS OF ROUNDTABLE.—

12                         (1) HEARINGS AND SESSIONS.—The Round-  
13 table may, for the purpose of carrying out this sec-  
14 tion, hold hearings, sit and act at times and places,  
15 take testimony, and receive evidence as the Round-  
16 table considers appropriate.

17                         (2) OBTAINING OFFICIAL DATA.—Upon request  
18 of the chair of the Roundtable, the Secretary of  
19 Education shall work with the heads of appropriate  
20 departments or agencies to furnish requested infor-  
21 mation to the Roundtable.

22                         (3) MAIIS.—The Roundtable may use the  
23 United States mails in the same manner and under  
24 the same conditions as other departments and agen-  
25 cies of the United States.

(4) ADMINISTRATIVE SUPPORT SERVICES.—

2       Upon request of the Roundtable, the Secretary of  
3       Education shall provide to the Roundtable the ad-  
4       ministrative support services necessary for the  
5       Roundtable to carry out its responsibilities under  
6       this Act.

7 (f) REPORTS.—

16 (A) recommendations for how to prevent  
17 bullying;

18 (B) recommendations for how to best edu-  
19 cate educators, administrators, and all relevant  
20 school staff on recognizing bullying;

(C) recommendations for how parents can best address and discuss with their children the early warning signs of bullying;

24 (D) recommendations for addressing un-  
25 derlying causes of bullying behavior;

(E) recommendations to address bullying of at-risk students, including students who are at greater risk of self-harm; and

(F) examples of successful evidence-based  
bullying prevention programming.

6                             (2) FINAL REPORT.—Not later than 1 year  
7                             after the date on which the Roundtable has been  
8                             formed, the Roundtable shall transmit a final report  
9                             to the Secretary of Education and the Congress con-  
10                             taining—

13 (B) recommendations for lawmakers re-  
14 garding effective bullying prevention policies.

15       (g) TERMINATION.—The Roundtable shall terminate  
16 upon submission of the final report pursuant to subsection  
17 (f)(2).

18 (h) RULE OF CONSTRUCTION.—No data obtained  
19 under this Act from State educational agencies, local edu-  
20 cational agencies, Federal departments or agencies, or  
21 other sources, including information described in sub-  
22 section (e)(2), shall include or reveal personally identifi-  
23 able information about any individual.

24           (i) DEFINITIONS.—In this Act, the terms “elementary school”, “local educational agency”, “paraprofes-  
25           tary school”, “local educational agency”, “paraprofes-

1 sional”, “parent”, “other staff”, “school leader”, “sec-  
2 ondary school”, “Secretary”, “specialized instructional  
3 support personnel”, and “State educational agency” have  
4 the meaning given those terms, respectively, under section  
5 8101 of the Elementary and Secondary Education Act of  
6 1965 (20 U.S.C. 7801).

Passed the House of Representatives September 16,  
2020.

Attest:                    CHERYL L. JOHNSON,  
*Clerk.*